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FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

38187-2836

U.S. APPLICATION NO. (If known, see 37/CFR 1.5)

**10/574242**

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO.  
PCT/US2004/032025INTERNATIONAL FILING DATE  
29 September 2004PRIORITY DATE CLAIMED  
29 September 2003

## TITLE OF INVENTION

METHOD AND APPARATUS FOR AN IMPROVED SAMPLE CAPTURE DEVICE

## APPLICANT(S) FOR DO/EO/US

Travis MARSOT, Paul LUM, Don ALDEN, James ROSS, Ron L. BARDELL, Bernhard WEIGLE

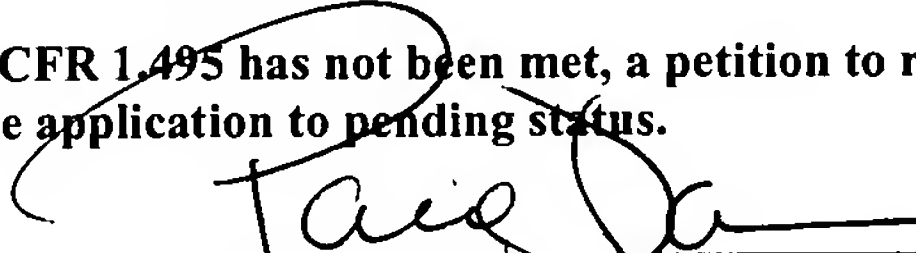
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

## Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: return postcard

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U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) <b>10/574242</b>		INTERNATIONAL APPLICATION NO. PCT/US2004/032025		ATTORNEYS DOCKET NUMBER 38187-2836	
21. <input checked="" type="checkbox"/> The following fees are submitted:  <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1000.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$ 750.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 600.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 500.00  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$ 100.00				<b>CALCULATIONS PTO USE ONLY</b>	
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				\$1000	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FIELD	NUMBER EXTRA	RATE	\$	
Total claims	20-20	33	x \$50.00	\$0	
Independent claims	5-3 =	2	x \$200.00	\$400	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$250.00	\$0	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,400	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$700	
<b>SUBTOTAL =</b>				700	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	
<b>TOTAL NATIONAL FEE =</b>				\$700	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$700	
				<b>Amount to be refunded:</b>	\$
				<b>charged:</b>	\$700
a. <input type="checkbox"/> A check in the amount of \$            to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 08-1641 in the amount of \$700 to cover the above fees. c. <input checked="" type="checkbox"/> the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card          information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
<b>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or          (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:			 SIGNATURE		
CUSTOMER NO. 23215			Paul Davis NAME		
Heller Ehrman LLP 275 Middlefield Road Menlo Park, CA 94025  (650) 324-7000			29,294 REGISTRATION NUMBER		